

The Philanthropist

PUBLISHED BY THE EXECUTIVE COMMITTEE OF THE OHIO STATE ANTI-SLAVERY SOCIETY.

We are verily guilty concerning our brother . . . therefore is this distress come upon us.

CINCINNATI, TUESDAY, OCTOBER 2, 1838.

WHOLE NO. 138.

VOLUME I. NO. 39. NEW SERIES.

THE PHILANTHROPIST,

PUBLISHED WEEKLY BY THE ANTI-SLAVERY SOCIETY
N. W. corner of Main & Sixth streets,
CINCINNATI, OHIO.

JAMES BOYLE, Publishing Agent.

TERMS.—Two Dollars and fifty cents in advance.
Three Dollars if not paid till the expiration of the year. Let-
ters on business should be directed to the Publishing Agent,
those relating to the editorial department, to the Editor.
No. 11, corner of Main & Sixth streets.

CONGRESSIONAL.

Remarks of Mr. MORRIS, last January, in the Senate, on
Mr. CALHOUN'S Slavery Resolutions.

DR. BAILEY:

Sir,—In compliance with your desire expressed to me,
to publish in your paper the entire debate on the resolutions
of Mr. Calhoun, submitted to the Senate of the United States
during the last session of Congress, I forward you the copy
of the remarks submitted by myself, made out at the time;
also the manuscript copy of the last remarks made by Mr.
Smith of Indiana, on the same occasion. You here, I be-
lieve, published his remarks first made. It was the intention
of Mr. Smith and myself, to have made the publication be-
fore we left Washington, and we applied to the publisher of
a paper there for that purpose; but causes not worth
mentioning prevented its being done. I do not know that
I am authorized to call Mr. Smith's manuscript to be pub-
lished without his consent. My own opinions and acts on
public measures I have no desire should be kept from the
public. If they are thought worthy the attention of a pub-
lisher of a newspaper, they are at his service, and I send
them to you accordingly.

Yours, respectfully,

THOMAS MORRIS.

September 22, 1838.

SPEECH OF MR. MORRIS, OF OHIO,

ON MR. CALHOUN'S RESOLUTIONS.

Mr. MORRIS said, could he have done so, and
have felt that at the same time he had discharged
his duty, he would gladly have entirely refrained
from entering into any discussion of the resolutions
now before the Senate. When first offered, the
resolutions appeared to him of so extraordinary a
character, that he had little doubt, that some
Senator, more able than himself, would have met
and answered them. He deeply regretted, that
even now, when the vote was called for and about
to be taken, all were silent. He should, how-
ever, feel dissatisfied with himself, if he suffered
these resolutions to pass without opposition, and
therefore, even should he find himself single-hand-
ed and alone in the conflict, with the Senator from
South Carolina (Mr. Calhoun), he would not shrink
from the task. In making up his mind to do so,
he had counted the cost. He well knew with
whom he was about to engage; an old and expe-
rienced leader, sustained and supported by a united
force that could not be separated; but he felt a
perfect confidence in the cause which he had espoused,
let the issue be as it may. It was the cause of hu-
man liberty and constitutional right, and no com-
bination, however numerous, or force however
strong, he firmly believed, would ever be able to
overthrow it, and whatever might be his fate here,
he had no doubt as to the final result elsewhere.
Much had been said, on former occasions, respect-
ing the dangerous tendency of agitating the ques-
tion of slavery on this floor.

It was doubtless intended to silence, hereafter,
all discussion, here or in any other place, by the
resolutions before us. He would, however, call
the Senate and the country to bear witness, that
the members of this body from the free states, who
had acted together on this question, had herefore
remained almost totally silent on this subject; while
it has been frequently discussed by Southern gen-
tlemen, who had now brought forward the whole
subject, and thrown open the door of discussion to
all. He would say for himself, that he felt as if he
had not done right in maintaining that silence which
he had heretofore observed, and that he had too
tamely submitted to a course of proceeding which
he believed to be derogatory to the right of peti-
tion, as well as subversive of the liberty of speech
and the press. The resolutions now introduced,
in his opinion, make a direct attack against all
these rights. They, however, in doing so, have
thrown open the door to debate, and he trusted
that silence would not now be imposed as hereto-
fore by a motion to lay on the table. The great
object in view was, to deny the right of petition to
Congress for the abolition of slavery in the Dis-
trict of Columbia, and for the prohibition of the
slave-trade between the different states. A retro-
spect of the means resorted to for the purpose of at-
taining this object, may be of use, and may, it is
hoped, teach us wisdom and forbearance on the
present occasion. It is now about two years since,
this question was first introduced and became mat-
ter of high import and serious consideration in this
body. The first grand movement was, to receive
the petitions and instantly reject their prayer.—
This movement was first made on the presentation
of the memorial from the Society of Friends, in the
state of Pennsylvania, on which memorable occasion,
if remembered rightly, the vote was 36 to receive,
and 10 against receiving. The vote to reject the
prayer of the memorial was 24, and against the re-
jection 26. Thus, those opposed to the rejection
of petitions on this subject soon found that this
scheme would not work well, and it proved how
feeble was the wisdom of man, when put in oppo-
sition to inherent and established right. This de-
formed building, the unnatural offspring of power,
though brought into the world from the highest pa-
trilege, and from whose existence and future use-
fulness so much good was predicted, gave but a
single gasp and died. What was next to be done?
This hopeless contest, this war against the right of
petition, was not on account of one failure to be
abandoned. Let consequences be what they may,
petitions on the subject of slavery must not be re-
ceived. A new device was then got up, by which
they have been as effectually excluded from the ac-
tion of the Senate, as if no attempt had been made
to present them. This device, called by an abuse
of terms a great conservative principle, was de-
clared a grand catholicism for the cure of abolition-
ism. Its great inventor had no doubt of its entire
success; and it was this: that when a petition on
the subject of slavery should be introduced by a
member, then a question on its reception should
be raised, and that question was, shall the petition
be received? On this question, however, we have
never been able to obtain a vote of the Senate.—
Nor have we been permitted even to debate it ever
since the vote, on the memorial he had mentioned,
the question, by which he said, he meant the
motion to lay the motion to receive on the table,
has on every occasion been immediately made,
which not being debatable by the rules of the

Senate, the question of reception has been stifled,
and every petition has by this means been in truth
left in the hands of the member who wished to
present it. If it can be deemed any mitigation of
this procedure, the courtesy has been afterwards
extended to him to hand up the excluded petition
to the Secretary's table. And pray, sir, said Mr.
M., what effect has been produced by this wise
and beneficent measure, so deemed at least by its
projectors? Has it satisfied the public mind? Has
it restored peace to the country? Has it diminished
the number of petitioners? Has it cooled their ar-
dor? No sir; it has done none of these things; but
its effects have been entirely the reverse, as gen-
tlemen from every side of the House, who have
spoken on this point, have clearly testified. The
wisdom then of this measure is about equal to that
which would induce a man to throw gunpowder
upon a burning fire, in order to extinguish it. The
fire is scattered throughout the whole country.—
The American people are rising in many resis-
tance, in every quarter, against any attempt to stifle
of this right, the important right of petition.—
They now throng, in additional numbers and with
increased ardor, knocking at the doors of your cham-
ber, and demanding to be heard. Sir, whose
duty it has been to present the petitions of our
constituents, on this all-important subject, were
compelled to act in silence and see the petitions
treated as unworthy of consideration, being tacitly
reproached for their presentation. We endured all
this without repining, or without fear, because, sir,
we well knew that the darkest hour immediately
precedes the dawning light, and we felt satisfied
that the very darkness itself in which it was at-
tempted to shroud the subject, was but a fore-
runner of the light that would soon break in upon it.
We have not been disappointed. Though debate
was silenced here, it pervaded every part of the
country, where the liberty of speech and the press
were secure from outrage and lawless violence.—
Individuals of the highest order of talents, and of
the most influential character, have spoken. So-
vereign states have spoken, and have, at last, ex-
pressed their views; and it is at length discovered
by Congress, that the rights of an American citizen
cannot be trampled down by a motion to lay the
most important, the full and free exercise of his
rights, the right of petition, on your table. The
expression of public opinion is too strong to be any
longer opposed by the paltry barrier erected against
it. Resistance to the right of petition has hereto-
fore proved but a mere cobweb. And yet, it is now
attempted by the resolutions before us, to prostrate
it entirely, at least on one subject, and if the
friends of the resolutions can succeed in this, Mr.
M. was unable to see, what vestige of American
liberty would be left, for he knew of nothing
better secured than the right of petition, the free-
dom of speech, and the liberty of the press. It
was this view of the subject that induced Mr. M.
to meet the resolutions of the Senator from South
Carolina with counter resolutions. And although
he had originally intended to offer his resolutions,
one by one, as amendments, yet, under present cir-
cumstances, he should refrain from doing so, as
there appeared a disposition on the part of the gen-
tleman himself (and if he could rightly judge, on
the part of the Senate also), not to enter into a dis-
cussion of the merits of the question. The gen-
tleman had, however, called his (Mr. M.'s) resolu-
tions, the creed of the abolitionists, and said if
there was an ulcer in the body politic, he wished
it brought to the surface, and here it was. That
the resolutions were antagonistic to his (Mr. C.'s)
and supported the resolutions of the Legislature of
the state of Vermont. Mr. M. said, that as to the
resolutions from Vermont, he did not feel disposed
to inquire what their character was. The Senator
from that state who had offered to present them,
was always, and at any time, able to defend himself.
As to his (Mr. M.'s) having formed a creed for the
abolitionists, he did not lay claim to any such dis-
tinction. His resolutions contained, as he believed,
the correct theory of the government, and the true
doctrines of the constitution. They simply as-
serted the liberty of speech, the liberty of the
press, and the right of petition, as being above all,
and the birth-right and inheritance of every Amer-
ican citizen. If this was the creed of abolitionists,
then indeed should he maintain and support their
creed at all times, and under all circumstances. If
his (Mr. Calhoun's) resolutions denied all these
rights, as he (Mr. M.) believed they did, he would
oppose them also with equal zeal. As to his (Mr.
M.'s) own resolutions, he should not offer them
now, but would reserve the right of submitting
them on some future day as separate and independ-
ent propositions from those now under considera-
tion. What then is the great end sought for, or
what is the object to be attained by the resolutions
now before us? It was this: that free discussion
on a question which the Senator himself had often
declared to be of the highest importance, should
not only be discontinued, but absolutely silenced.
It seemed to him (Mr. M.) that this hope of the
gentleman was vain. Did he seriously expect to
succeed in drawing a line, and in enacting that
argument should be allowed on one side of it,
but not on the other? If he did it was a vain expec-
tation,—a hope which could never be realized.—
Mr. M. said he regretted much to hear the gen-
tleman speak of sectional or geographical interests.
Mr. M. said he would acknowledge no such divi-
ded interests, and could not believe that Southern
and Northern rights existed as antagonist principles;
why then talk of Southern rights and Southern
power, and that Southern men must depend on
themselves, as if they were a separate and distinct
people, and there had been an attack upon Southern
rights? Such arguments could not lead to the
peace and harmony of the country, but were well
calculated to divide and distract it. If the Senator
supposed that free discussion, and the liberty of
speech and of the press upon the subject of slavery
itself was an attack upon Southern rights, and that
on this false pretence he could put them down, he
would surely find himself greatly mistaken. Mr.
M. said he asked the Senator if he was aware of
the vast concession he was himself making even
to the abolitionists? Did his state then really pos-
sess institutions that could not withstand the moral
power of public opinion? Must both the tongue and
the pen be silent in order to their preservation?—
If this ark of our political safety was to remain se-
cure, and be carried into the temple of slavery,
would that institution fall before it? If such was
the case, he (Mr. M.) would not pretend to anti-
cipate results. His object was, to secure the rights
of all; he wished for the safety of all, and he be-
lieved all could exist together under the well es-
tablished doctrines of the constitution. He doubted
much, however, that safety was any where else to
be reasonably expected. The Senator from South
Carolina claims to be a State's Rights man; he, Mr.
M. aspired to the same high distinction; he too was
a State's Rights man, although he might differ with

the Senator as to the nature and origin of those
rights, as well as the mode and manner of main-
taining them. The Senator held that the states in
their sovereign capacity had adopted the constitu-
tion. It had, indeed, been formed by the states
in their sovereign capacity, but its formation and
adoption he considered separate and distinct things.
Without the subsequent action of the people with
in the several states, it would have been of no ef-
fect. In order to perfect their union, as a people,
for all the purposes intended by the constitution,
they, the people in the several states adopted it.—
Mr. M. considered it not now necessary to inquire
into this abstraction. The constitution was here,
a living and acting instrument; its power and pro-
visions operated every part of the country, giving
liberty and security to all; for to its power the
states had surrendered their right of redress for do-
mestic violence, or foreign aggression, and the
Senator is now invoking this tremendous power to
prohibit the citizens of other states from intermed-
dling with the institutions of his own. Mr. M.
would ask what was meant by intermeddling
with the institutions, laws, or policy of a state. Does
the Senator mean that because we converse about
the policy and laws of other states, or because the
press of the country where we live publishes treat-
ises on these institutions, that this is intermed-
dling? Does he mean to say that such speaking,
writing and printing ought to be put down, by the
authority of this government, that it is either in-
vasion or domestic violence? He (Mr. M.) thought
the Senator would not openly say this. Yet his
resolutions go to maintain this doctrine fully. But
if he means that the doctrine of state power, phy-
sically operating on the institutions of another state
is intermeddling, then Mr. M. fully agreed with the
Senator in condemning such intermeddling, and in
asserting that no such right existed. It has been
said, by high authority, that Spain intermeddles in
a war between other nations by officiously taking
part therein. But when the Senator seeks, as in
this case, to put down the freedom of mere speech
and the press, and the right of petition, he not only
officiously interferes in the concerns of other
states, but he strikes at the foundation of all future
improvement. When he is pleased to charge as
evil, an inquiry into the constitution and laws
of other states and nations, and denounce it, as
intermeddling, if he can succeed in this case, then
he can also prevent an inquiry in all other cases.
If this is the object of the Senator; all advantages
from comparison in all cases would be at an end,
and each state would be compelled to shut itself up
within the circle of its own jurisdiction. This, he
considered, was not the doctrine of the constitution,
or the policy of the country. Such, however, was
one of the features of the resolutions before us.—
There was also another feature in those resolutions
which he thought deserved special notice, and while
he was opposed to all their most prominent doc-
trines, he believed this life most dangerous of them
all. It was of a decidedly selfish character, and
of the most dangerous tendency. It appeared to
him to be a mixture of truth and error, so artfully
blended as to be well calculated to deceive. For fear
he might be mistaken, he would read the resolution.
Resolved, That the Union of these states rests
on an equality of rights and advantages among its
members, and that whatever tends to destroy that
equality tends to destroy the Union itself, and that
it is the solemn duty of all, and more especially
of this body, which represents the states in their
corporate capacity, to resist all attempts to dis-
criminate between the states in extending the ben-
efits of the government to the several portions of
the Union, and that to refuse to extend to the
Southern and Western states any advantage that
would tend to strengthen them, or render them
more secure, or increase their limits or population
by the annexation of new territories or states, on
the assumption or under the pretext that the insti-
tution of slavery as it exists among them is im-
moral or sinful, or otherwise obnoxious, would be
contrary to that equality of rights and advantages
which the constitution intended to secure alike to
all the members of the Union, and would, in effect
disfranchise the slaveholding states, withholding
from them the advantages, while it subjected them
to the burdens of the government.

What, sir, said Mr. M., is the doctrine con-
tained in this resolution? Its first position is, that an
equality of rights exists among all the states, and
whatever tends to destroy that equality, tends to
destroy the Union itself. Therefore, as slavery exists
in some of the states, there must be an equal
right to hold slaves in all the states, or otherwise
the Union must be destroyed. Congress, therefore,
(such is the doctrine inculcated,) is bound to resist
all endeavors to prevent the extension of slavery
throughout the Union at all events, to such an ex-
tent as will give the slaveholding states the balance
of power, if not by forcing slavery into the free
states, by annexing new slaveholding territories or
states to the already slaveholding states. And Con-
gress is not to be deterred from this extension of
slavery by the squeamish idea that slavery is im-
moral and sinful. This is the doctrine, sir; not
that slavery as it exists is to be sustained,—no,
that is not enough; it is to be enlarged, extended,
augmented, and made perpetual. To what does
this lead? Suppose the state of Louisiana was the
only slaveholding state in the Union, and all the
other states believed this state to be upholding an
institution both immoral and sinful, and what is the
conclusion? Why, we must add to this state Texas,
or even Mexico, (by conquest it is to be presumed,
if we cannot otherwise obtain them,) in order to
give the slaveholding power an equality of rights,
if not a preponderance in the Union. And this is
to be done under the specious pretext of main-
taining an equality of power between the slaveholding
and non-slaveholding states. This, to my mind,
said Mr. M., is the doctrine of the Senator's resolu-
tions, as clear as the light of the sun; it is written
in characters too broad to be misunderstood. The
resolution is based upon this ground alone. And
is this the equality of rights the Senator would es-
tablish, and wishes to see exist among the states?
Sir, this is strange doctrine, and it comes to a still
stronger conclusion. He said he would be glad to
know what this government had to do with equal-
ity of rights among the states, arising out of their
own constitution, laws, and internal police? He
considered that it was not the policy of this gov-
ernment to interfere in such matters at all. And
yet the gentleman who contends for this doctrine
claims to be a State's Rights man. Why, sir, to
my mind, said Mr. M., it might as well be con-
tended that this government was bound to preserve
in each state an equal number of inhabitants, and
that the right of property should be the same in all.
And therefore this resolution is liable to all those
objections, and many more; yet if gentlemen will
examine the entire resolutions, they will find that
each of them is open to objections equally strong

as this. Sir, it is no longer the question now,
whether the colored man shall be continued in slav-
ery, but it is whether that slavery shall be more
extended, and the white man be deprived of his
most valuable privileges, and dearest rights. The
question is changed. It is not the question of ab-
olition itself, or the rights only of those who peti-
tion on that subject, that now demand our attention.
We are not asked to support Southern institutions,
as they exist; but to enlarge and extend them; and
if we protest against this, we are charged with be-
ing intermeddlers. Mr. M. said he had not hereto-
fore opened his lips on the question of abolition;
all he had ever said was intended to keep in proper
bounds this spirit. He had felt it his duty thus
negatively to aid and protect the South; and he had
often said, that in case of a servile war, or South-
ern insurrection, we were bound by our political
connection, if not by our duty, to aid in its suppres-
sion. But, admitting all this, he contended at the
same time for the right of discussion, on the very
subject of slavery, as well as all other rights, if
the rights of equal liberty; but which he contended
they were not; that of liberty of speech and the
press being far the most important. He would a-
gain ask, how had the North and the West inter-
meddled with the institutions of the South? Sir,
if in all this matter there be any thing that savors
of intermeddling, it was that of a Southern state
sending her resolutions or mandates into Ohio, in
order to induce the legislature of that state to pass
laws for the suppression of abolition societies, and
prevent discussion on the subject of slavery.

This, he believed South Carolina had done;
Mr. M. had not been able to obtain a copy of the
resolutions, as yet, but he expected them in a few
days. He well remembered, it was then thought
that these resolutions made a requirement of the
Legislature to deprive their own citizens of their
most undoubted constitutional right. When any
of the free states shall send resolutions into a slave-
holding state, requesting that slavery be abolished,
as a dangerous institution, and of evil tendency,
and calculated to disturb the peace and quiet of
the free states, and as affecting the integrity of the
Union, it may be said with a little more grace, that
it is intermeddling with the institutions of the other
states. What sir, said Mr. M., is the real ob-
ject to be gained, if indeed any thing is to be
gained, by the passage of these resolutions? It is
that Texas may be annexed to the Union, in order
to extend and perpetuate slavery, and thus fore-
warn the free states that their citizens have no right
to think, speak, or write on the subject. It was
in part an attempt to restrain, by the power of Con-
gress, our reasoning faculties; and he would say,
if it is not a wicked, it was a very weak attempt.
He said, he was as much opposed to intermeddling
with slavery in the South, as any other man, not
even excepting the gentleman (Mr. Calhoun him-
self) but he contended that "intermeddling" was
acts done, respecting slavery within a slave-hold-
ing state. But if the right of judgment on moral,
or political subjects, the right of speaking, even on
subjects not agreeable to the South was to be in-
terdicted under the name of "intermeddling" he
should be glad to know how it was to be accom-
plished. It is beyond the power of Congress to
place fetters on men's minds, or bridle their
tongues. It is beyond the rightful power of any
government to prevent the people from freely dis-
cussing, speaking, and printing upon whatever
subject they please, however disagreeable the sub-
ject be to others. You may punish the abuse of
the privilege, but you cannot do away with the
privilege itself. Real and actual intermeddlers
may be put down by the laws, but who shall put
down the right of inquiry and discussion, on any
subject? Who shall put down the right of form-
ing and expressing an opinion? These resolu-
tions are declarations of war against opinions; and
by what right or title can any party or state, call
upon Congress to censure, condemn, or pass laws
against opinions? Who will dare to limit the
bounds of thought, or the right and freedom of
opinion? No one he presumed, had yet suffi-
cient boldness to make such an attempt. If the
resolutions aimed at the suppression of unlawful
acts, he, Mr. M. would most cheerfully give them
his support; but they are local in their objects,
and are directed against the liberty and opinions
of the people in the free states. They strike at
both moral and constitutional rights, they are di-
rected against the sentiments and doctrines, not
tangible objects; and they seek to make disreput-
able, the free interchange of opinion between our
citizens, by calling the expression of opinion in-
termeddling. If the South possessed the right to
call on the free states to put a stop to the expres-
sion of opinion upon slavery within those states,
upon what principle could they deny the right of
those states to call on the South to abolish slavery?
If the possession of slaves be of vital importance
to the South, the possession of freedom of speech
and opinion is of equally vital importance to the
north and west: one right he contended to be as
valuable as the other. He would say more, our right
was far superior to the other, and was an inherent
unalienable right, the other an acquired temporary
right, which if put into the balance would be
found wanting. And shall one of the first, the
dearest, and most important rights, be sacrificed
and abandoned to preserve a lesser and doubtful
one, claimed by a less portion of the community?
It is an impious attempt, to endeavor to arrest men
in the exercise of moral discussion, the right of
writing, speaking, or printing on any subject they
please; he Mr. M. thought it was a desperate un-
dertaking to fight against the freedom of opinion at
this late day and in this enlightened age of the
world. Yet these resolutions were in his view the
commencement of such war. The exercise of our
moral powers, the expression of our thoughts, is
called intermeddling; and such an intermeddling
that the strong arm of this government is sought to
be used for its suppression. This is the beginning;
it is now only said that certain individuals are
calling in question state institutions, and we are in-
voked to impose on them silence. What the next
step may be, no one can tell: some individual may
possess sufficient boldness to denounce the guilt of
questioning the acts and institutions established by
Congress, and if he deserves to be put down in
silence, who would dare to speak against state in-
stitutions? If this doctrine can be carried out, we
may look for a much heavier punishment to be in-
flicted on him who may lift his voice against the
proceedings of this government. There can be
no bound to the principles of these resolutions, if
we for any purpose, or for a single moment admit
their correctness. The alien and sedition laws
were as white paper compared to the dark page
which the adoption of these resolutions, will make
in the history of our country. The sedition act,
made it criminal to speak or write against the Presi-
dent, or any branch of the government, falsely

and maliciously, in order to bring the President, or
such department of the Government, into disre-
pute amongst the people of the United States; but
it at the same time, gave the party accused a trial
by jury, and liberty to give the truth in evidence.
But, sir, what do we propose now? We charge
those who present petitions here, for the abolition
of slavery, and the slave trade, in this District, as
being guilty of a high moral and political offence.
Do we propose to give them a fair trial before a
jury, or even before the bar of public opinion,
with permission to give the truth in evidence? No
sir; we refuse to hear them; we refuse to re-
ceive their petitions, or to allow them to give the
truth in evidence, or any of our members to speak
in their behalf. This has been the fate of peti-
tions on the subject of slavery, heretofore, and we
are now attempting to draw the cords still tighter,
and to brand petitioners with infamy, as well as
all others who may speak, write, or publish their
opinions on this subject.

Mr. M. viewed the present movement, as one
of the most arbitrary and dangerous measures ever
introduced into the American Congress. He said
he spoke not for himself, he did not claim to be an
abolitionist, he had not yet uttered a word in favor
of their principles or opinions; but they were men,
they were American citizens, and they were en-
titled to all the rights and privileges of others. He
spoke now, in behalf of the common rights of man,
of rights which were the gift of the Creator, and
above the power of human government to take
away. If one class of our citizens have a right to
any kind of property, surely another class of our
citizens have an equal right to any kind of opinion.
If Southern Constitutions have the right to make
property of men, surely Northern and Western citi-
zens are equally entitled to the expression of opin-
ion, that men cannot rightfully be made property,
and that such an act is both immoral and sinful.
Who shall judge and decide between us? The
government of the United States? No sir, said Mr. M.,
we plead not to its jurisdiction. But sir, said Mr. M.,
why all this alarm? Why this excitement, and
the introduction of these resolutions? What is the
real state of the facts before us as frequently as-
serted by the friends of the resolutions? It is that
the southern states are able to take care of themselves,
that they will preserve their institutions at all haz-
ards, even to the destruction of the Union itself.
Why this declaration. From what necessity does
it arise? We are told their institutions have been
attacked by abolitionists, and pray, sir, who are
these abolitionists? We are told they are blind
fanatics, incendiaries, zealots without knowledge,
consisting mostly of women, who had much better
attend to their household affairs, and also little
boys and girls at boarding schools. Such it is
said compose the mass of petitioners, who are in-
termeddling with southern institutions. And are
they carrying dismay and terror into any part of our
country? Is it possible that the power of this
government is needed for their overthrow? He
could not believe it, but if it is so, what a lesson
does it teach us! Sir, it has been admitted that
the doctrine of the declaration of independence,
the bill of rights affixed to the constitution of
the United States, contains the very doctrines on
which the abolitionists plant themselves. If this
were true, and he was not disposed to doubt it, he
was not surprised at the results. For should one
climb up on his hands and his feet, towards the
strong hold of oppression and servitude with none
but his armour bearer behind him, bearing aloft
the declaration of independence, which declares
that all men are born free and independent, and
have an inalienable right to life, liberty, and the
pursuit of happiness, and underneath inscribed the
words of the constitution, Congress shall make no
law abridging the freedom of speech, or the press,
or the right of the people to assemble together and
to petition the government for a redress of griev-
ances; there could be no doubt that it would cause
a trembling in the camp even of slavery itself,
and eventually cause a total overthrow of its
power.

But sir, said Mr. M. there has been such a
variety of matter pressed into this question, not only
into the resolutions themselves, but also into the
remarks, that have heretofore been made on this
subject, that he really was at a loss to determine how
much was deserving of notice. There was one topic
however that he deemed worthy of consideration, it
was the introduction of the subject of religion.
He could not discover, why this sacred subject, which
was placed by the constitution entirely beyond the
power of this government, should have been intro-
duced to answer any political purpose whatever.
But believing this to be entirely a political ques-
tion, his just and reasonable expectation as to the
argument, had been disappointed. In looking
over the fourth resolution, he could not understand
it in any other light than as maintaining this; that
to speak against the institutions of a state, and
more particularly against slavery, was a violation
of religious obligations. The resolution assumed
that slavery, as it existed in the southern and west-
ern states composed an important part of their do-
mestic institutions, and that no change of feeling
on the part of the citizens of the other states can
justify them or their citizens in open and system-
atic attacks thereon, with the view to its overthrow
and that all such attacks are a manifest violation of
the most solemn obligations of moral and religious
duty. Now permit us to inquire who shall make
a moral and religious creed, for the citizens of
these states, and declare that such acts are a viola-
tion of such creed? Is there not here a plain and
palpable declaration of what constitutes religious
obligations, and what is a violation thereof? Is
there not here, a direct attempt to establish a reli-
gious creed by the power of this government? Is
it not a declaration that it is irreligious to oppose
the system of slavery, and cover that institution
with this sacred mantle? If all this was not the
meaning and intention of the resolution he was at
a loss to understand it. He believed however, that
there could be but one answer to the question he
had put. But, said Mr. M., this is not all. The
proceedings of a religious society, at Utica in New
York, he believed, had been introduced and read
as applicable to this question. Why was this
done? Was it to produce political effect, and
operate upon religious feelings here? If so it was
snatching from this society the sacred mantle of
religion, and converting its members into a mere
sectarian cabal, and he thought that whenever
any religious sect should make use of its power
and influence, to give political ascendancy to any
party, or question in matters of government, that
such sect had lost the power of religion, and be-
come merely sectarian, and was prepared to unite
church and state by the sword and the faggot, if
necessary, to accomplish the object. But sir,
said Mr. M., the resolution just referred to, con-
tained another doctrine, which he was by no means

prepared to admit: It is this, that slavery is re-
cognized, by the Constitution of the United States,
as an essential element in the distribution of its
powers in the several states. Mr. M. believed the
first position assumed here erroneous. The Consti-
tution of the United States did not distribute
power among the states. It had derived all its
power from the people of the states, and in no
particular, or for any purpose, recognized domestic
slavery as necessary for its action. It permitted,
or allowed this institution in the states, but did
not recognize or establish it. Sir, said Mr. M.,
the Constitution of the United States, left the
states in this particular, without a single comment.
The word slave or slavery, is not mentioned in
that instrument. It was not intended by it to
touch the institutions of the states in any particu-
lar, which they had not surrendered by the
grants in the Constitution. But to his mind, the
framers of the Constitution intended that its whole
moral power should operate to the extinction of slav-
ery in all the states. And he said, he trusted that
it could be shown that it had produced, and still
was producing this effect, and he had no doubt
that this moral power would finally accomplish that
great object. He believed that at the time of the
adoption of the Constitution all the states were
slave-holding states, and that a slave was consid-
ered property by the laws of each state. Would
any one contend that the basis of this government,
the right of representation in the other house of
Congress, rests upon property. For himself he
denied it, the basis of representation is PERSONS,
and although the Constitution had made a distinc-
tion between free persons and those bound to
service for a term of years, and all other persons, ex-
cept Indians, &c. The very distinction thus made
proved to his mind, most clearly, that the Con-
stitution intended, and indeed such is the fact, that
no act of this government should ever recognize
the principle, that persons could undergo circum-
stances be converted into property. It was the
exclusive right of the states, a right they posses-
sed before the adoption of the Constitution; and
one which they did not surrender, to declare of what
property should be formed, and the nature of its
tenure, and the great moral question now agitating
the country, is, can or ought, persons to be con-
verted into property. And the appeal is made,
not to the states, but to the conscience of individ-
uals, who hold persons as property. Mr. M.
said he had remarked, that the moral power of
the Constitution was intended to operate against
the existence of slavery, and this he now pro-
posed to prove. And when he had performed this
task, a few additional remarks, would close his
present labour. Let it be remembered that be-
fore the Constitution was completed, and while
the convention was yet in session, the Congress of
the United States then also in session, under the
old confederation, in July, 1787, passed the fa-
mous ordinance for the government of the North
Western Territory,—that extensive country,
which had been ceded by the state of Virginia to
the United States; and this was the first por-
tion of our country, over which the United States
had the exclusive right of jurisdiction and soil.
In settling its internal policy, and in establishing
its political institutions, Congress while under
the very eye of the Convention, declared by the
ordinance, that throughout this vast country, east
of the Mississippi and north-west of Ohio, slavery
and involuntary servitude (except for the punish-
ment of crime) should never exist, except by com-
mon consent. Can it be supposed that this ordi-
nance thus passed, and which is of almost equal
authority with the constitution itself, did not at
that time express the general sentiments of the peo-
ple of the United States, as well as that of the
members of the Convention? And pray sir, how
did the convention receive this strong rebuke of
slavery, the first in the power of the United States
to give? Did they censure or condemn it? No!
It was hailed as the forerunner of that great ju-
bilee, which it was hoped would soon follow in the
final overthrow of this system. The convention,
as according the movement thus made by Con-
gress, provided in the ninth section, first article of
the Constitution, that the migration or importation
of such persons as any of the states, now existing
shall think proper to admit, shall not be prohibited
by Congress, prior to the year 1808; but a tax or
duty may be imposed on such importation, not ex-
ceeding ten dollars for each person. Here then,
is another evidence, that this convention intended
to bring the system of slavery and the slave-trade
into disrepute, and to limit its extension to the
states then only in existence, and to prevent its
increase, by a prohibition of the slave trade at-
tached after a given period. No one, he presumed
to say, would contend that this provision of the
constitution in its moral effect, was not intended
to operate against slavery even as it then existed,
and as it might thereafter exist. What was its
immediate effect? The states which had begun
to provide for the abolition of slavery, continued
their efforts with renewed vigor, and others com-
menced the same system, and the gradual aboli-
tion of slavery continued on in this course, until
the new doctrine has been advanced, that slavery
is ingrafted in, and sustained by the Constitution
of the United States. Mr. M. said it had been
often asserted, that Congress had not the power
to manumit the slaves in the District of Columbia,
or in any of the Territories of the United States.
This however, was not the doctrine which the
fathers of American liberty held. It has only
been promulgated by us, their degenerate sons.
It will be found, that in the days of Washington,
the Congress of the United States exercised this
power. That by an act passed on the 7th of
April, 1793, which, among other things, provided
for the Government of the Mississippi Territory,
and which act declared, that every slave brought
into that Territory from any part, or state without
the United States, should be entitled to and receive
his or her freedom. Here Congress, immediately
after the adoption of the Constitution, possess-
ing exclusive power of Legislation, extended
where only they could do it, viz: in a Territory,
but they had no power to enter a State and free a
slave, or he had no doubt they would have done it,
as they did where they had the power. Is not the
power of Congress as ample on this subject now
as it was in 1793? Surely it is, and as many
States now exist in which slavery is not tolerated,
are there not multiplied and stronger reasons now
for the exercise of this power by Congress in the
same manner, that there was then? He should
leave the answer to the country.

It has been said, in a kind of triumph, that Con-
gress had no power, to prevent the importation of
articles into any State, which are deemed property
by the laws of such State, and of course they had
no power to prevent the slave trade being carried
into any State. (Concluded on Fourth Page.)

THE PHILANTHROPIST.
CINCINNATI:
Tuesday Morning, October 2, 1838.

A CITIZEN OF THE STATE OF OHIO, DELIVERED UP AS A FUGITIVE FROM JUSTICE, TO BE TRIED BY KENTUCKY LAWS.

A circumstance has quite recently occurred in this State, which is well calculated to make every man, unwilling to bow the knee to slavery, tremble for his liberty. On Monday, the 17th of September, John B. Mahan, a respectable citizen of Sardinia, Brown county, a local minister in the Methodist Episcopal Church, was arrested by an order of the Governor of this State, and delivered over to the Executive of Kentucky, as a FUGITIVE FROM JUSTICE. The information is contained in the following letter from a well-known clergyman in Ripley:

Dr. Bailey:—I hasten to inform you, that on yesterday the Rev. Mr. Mahan of Sardinia, was arrested as a fugitive from justice in the State of Kentucky, by order of the Governor of Ohio. He was hurried to Kentucky without allowing him time to procure a writ of habeas corpus. Mr. Mahan is a local preacher of the Methodist E. Church, and one of the most upright and benevolent men in the State. The matter is highly mysterious. The demand for him must have been founded on perjury. Mr. Mahan had not been in Kentucky for nineteen years. Imposition has been practiced upon our Government. In times like these, orders of that kind ought to be issued with great caution. There is not the shadow of foundation for the demand, unless it be downright perjury. So it is, this innocent man has been dragged from his family, a prisoner to Kentucky, to answer the demands of Slavery. This is more alarming than even the case of Eliza Jane Johnston. It has occasioned no little excitement among the citizens of Brown county. They begin to feel that no one is safe any farther than he may have physical force to defend himself. What shall the end be?

Yours, VERITAS.

P. S. Since writing the above, I have learned that a Grand Jury of Kentucky found a bill of indictment against him as John Mahan, late of Mason county, Kentucky! What palpable perjury and imposition upon the Governor of the two States. What will not the protection of Slavery lead men to do!

The case, so far as we have been able to ascertain the facts, is one of aggravated injustice and cruelty.

Two indictments are said to have been found against him in the Kentucky courts, charging him with having kidnapped and induced slaves to leave their masters, within the limits of that State.

Mr. Mahan is an Abolitionist, and his zeal as such has rendered him peculiarly obnoxious to slaveholders. Highly respected by the community in which he lived, even his enemies do not believe him guilty of the acts charged upon him. "Mr. M.," says the Georgetown Examiner, (a Whig paper, opposed to him in politics, and unconnected with abolitionism,) "is known here as a strenuous Abolitionist, yet, we presume, there are but few who believe the story of his having ventured to carry the war into Kentucky." It will be perceived, that, according to our correspondent, a Kentucky Grand Jury designate him as John Mahan, "LATE OF MASON COUNTY, KENTUCKY," when the fact is well known to hundreds, probably thousands in Ohio, that he is an old resident in this State. We are informed by Senator Morris that he has known him, as a citizen of Ohio, since the time he was a boy. We have just conversed with two gentlemen from the neighborhood where the transaction took place. They say that the excitement produced by it is intense; the people are both alarmed and irritated. They tell us, that on the very days on which, in the indictments, Mr. Mahan is charged with having committed the acts referred to, he was at home attending to his business,—a fact to which several persons in Sardinia were willing to testify.

After making all due allowances for the exaggerated and loose character of reports, springing naturally from excitement and alarm, we cannot overcome our impression that Mr. Mahan is the victim of perjury.

The conduct of Governor Vance in this affair must undergo the strictest scrutiny. We have inquired, but have not been able to learn whether the Governor made any effort to investigate the case, or acquit himself to any extent with the presumptions for or against the sufferer. The demand having been made, he seems to have proceeded at once, without hesitation, to issue an order for the arrest of Mr. Mahan. We are aware, that he may plead, that the law allows him no discretionary power, that, on an indictment being forwarded to him against a citizen of Ohio, by the Executive of another State, certified in the manner prescribed by law, he is bound, without further examination, to give up the individual thus charged. Suppose one of the family of our Governor were thus indicted under the laws of another State, and a formal requisition made by the executive of said State for his delivery; suppose that our Governor knew, absolutely knew, that there was not one word of truth in the indictment, and that, should he comply with the requisition, it would be at the hazard of the life or liberty of this member of his family,—what would he do? Would he think he had no discretionary power to pause, to deliberate, to consult, to negotiate, to take some precautionary measures, ere he should decide on thrusting out this innocent person from under the sovereignty of Ohio, and abandoning him to claims which he knew to be unjust, and to hands which he knew to be hostile? He would hesitate—he would throw himself on his reserved rights, as the representative, the presiding officer of a free, sovereign, independent State, and justly think that caution, deliberation, examination, in such a case, were violative of no law. Did he act thus in the case of Mahan? Allow that he did not know this man; he might have known him on inquiry, and on investigation, have been as fully convinced of his innocence, as in the case just supposed.

We do not claim that any law should be violated, but we do claim that the administrator of the laws ought not to act, blind-folded, without intelligence, without discretion. Surely, in times like the present, when so much exasperation is manifested in slave States against abolitionists; when a Senator in the United States Congress can declare in his place, unrebuked, that no government on earth, not even the Government of these United States should save an Abolitionist from the gallows, if caught within the limits of his State; when so many efforts have been made by slaveholding executives to get these persecuted men within their power; when confessedly there are so few chances that justice would be done them before a slaveholding tribunal, or being acquitted there, that they

would be secured against the fangs of a bloody mob,—surely, it would not have been a violation of official duty, if Governor Vance had proceeded with a little caution, some degree of hesitancy, before abandoning a citizen of Ohio, a husband and a father, to the hands of his sworn enemies—for that he is now entirely in the power of those who hate him, we presume every citizen of Brown county will testify.

We do not say that such was not the conduct of our Executive; but the presumptions are against him. That the people of Ohio will be satisfied with anything less than a full and correct exposition of the whole of this fearful case, is not to be expected. It concerns every person among us too nearly, to be passed over as an ordinary act of executive power. Let us have the whole truth. Let us know by what tenure we, individually, hold our liberties. One of the pleas of our Fathers for their rebellion against the British King, was, that he had combined with others to subject them to a jurisdiction foreign to their constitution, unacknowledged by their laws, that he had transported them beyond seas, to be tried for pretended offences. Let us, the people of Ohio, know, whether we are to be subjected to like grievances; whether, by the irresponsible authority of a Governor, a Mayor, or a petty justice of the peace, the husband, the father, the mother, the wife, the son, the daughter, may at any moment, on the oath of a perjured villain in any other State, be torn from home, torn from friends, from the free soil of Ohio, the protection of its laws, and cast into a slaveholding jail, to be arraigned before a slaveholding tribunal, tried by slaveholding laws.

If such be the fact, we call on the citizens of Ohio, to awake—they are slaves, and their liberties and lives are at the mercy of fraud, violence, and perjury.

The law under which our Executive has acted, is in fact a breach of state sovereignty. It constitutes the first and second sections of an Act of Congress, approved February 12, 1793; entitled, "An Act respecting Fugitives from Justice, and persons escaping from the service of their masters." We subjoin it.

"Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, That whenever the executive authority of any State in the Union, or of either of the territories northwest or south of the river Ohio, shall demand any person as a fugitive from justice, of the executive authority of any such State or territory, to which such person shall have fled, and shall, moreover, produce the copy of an indictment found, or an affidavit made before a magistrate of any State or territory, charging the person so demanded with having committed treason, felony or other crime, certified as authentic, by the Governor or chief magistrate, of the State or territory from whence the person so charged, fled, it shall be the duty of the executive authority of the State or territory to which such person shall have fled, to cause him or her to be arrested and secured, and notice of the arrest be given to the executive authority making such demand, or to the agent of such authority appointed to receive the fugitive, and to cause the fugitive to be delivered to such agent, where he shall appear; but if no such agent shall appear within six months from the time of the arrest, the prisoner may be discharged. And all costs or expenses, incurred in the apprehending, securing and transmitting such fugitive to the State or territory making such demand, shall be paid by such State or territory.

"Sec. 2. And it is further enacted, That any agent, appointed as aforesaid, who shall receive the fugitive into his custody, shall be empowered to transport him or her to the State or territory from whence he or she shall have fled. And if any person or persons shall, by force, or at liberty, or rescue the fugitive from such agent, while transporting as aforesaid, the person or persons so offending, shall, on conviction thereof, be fined not exceeding five hundred dollars, and be imprisoned not exceeding one year."

This immense power over the liberties of the citizens of Ohio, is not confined to the Governor. The act incorporating the city of Cincinnati confers the same kind of power on the Mayor of that city; but in language so loose as to allow of still more flagrant abuse. The clause is as follows.

"The Mayor shall moreover have authority to take and certify the acknowledgments of all deeds, for the conveyance of real estate situated in the State of Ohio; and it shall be lawful for him to order any person brought before him charged with the commission of any criminal offence, in any State or territory of the United States, upon proof by him and others sufficient, to direct such accused person to be delivered to some suitable person or persons, to be conveyed to the proper jurisdiction for trial."

Such power, so unqualifiedly intrusted in the hands of any single person, sets at naught all our guaranties of personal rights. But the worst is not yet told.—Our wise legislators, we are informed by an eminent member of the bar, have conferred the same dangerous authority on all our justices of the peace. So that any petty justice, on the most baseless accusation, if he adjudge the proof sufficient, may deprive any citizen of Ohio, of all protection from the laws of his State, and cause him to be transported to any other State, Georgia, Mississippi or Louisiana, to be tried by its laws!

Such laws are a damning disgrace to our statute book. In principle they are subversive of all the securities which the Constitution has thrown around the individual, and may be so managed as to subject every citizen to an infamous despotism. Were all the States alike in their institutions, in their manners, their sentiments, their civilization; did no interests exist in some of them at war with the interests of others; were there no class of men in any of them obnoxious to popular violence, threatened by popular vengeance in any of the rest; such laws might be harmless; they might possibly be carried out without any serious inconvenience to individuals. But, when the opposites of all these conditions exist, when in some of the States an institution is established, at war with morals, at war with God, at war with the whole human family; giving rise to a peculiar set of interests, laws, and civilization, and stimulating the worst passions of the citizens of those States against large portions of the citizens of others States, where this institution does not exist; then it is, that the laws in question show how fatally hostile their real principle is to personal rights and state-sovereignty. If, therefore, it be claimed for such laws, that they are necessary in the existing relations between these States, we then claim that it is absolutely necessary for the safety of the citizens of the free States, that Slavery be abolished; so that if they must be dragged before the tribunals of other States, they may have some faint hope that justice shall be done them.

CASE OF THE REV. JOHN B. MAHAN.

"A few evenings since," said Mr. Higgins, "I called at the house of my esteemed friend and neighbor, the Rev. John B. Mahan, who was seated at his desk, and had just finished a paper. The children came around him, crying, papa is gone!—papa is gone!"

Kentucky, although it had not been in that State for fifteen years, and by this implied on the Governor of Kentucky and Ohio, and made them believe that he was a fugitive from justice. He was demanded, and the Governor of Ohio never suspecting a Grand Jury of being capable of such baseless villainy, delivered him up. It is not even pretended that he was in Kentucky to commit the crime charged. And depositions have been taken proving that he was at home at the times specified in the indictment. He was forced to Kentucky without the benefit of the writ of habeas corpus. Thus a horrible imposition been practiced upon the Governor of Ohio, by which he has delivered up to ruin, one of the most upright and benevolent citizens of the State of Ohio. What crime is too black for some slaveholders to commit, in order to protect their peculiar institution! Mr. Mahan is now shut up in Washington jail. A number of the most wealthy citizens of Ripley sent over a bond to indemnify, to any amount, any who would bail him out of prison, but no one can venture to go his bail. Thus, by perjury and the blackest intrigue, the slaveholders have ruined one of the best families in Ohio. Mr. Mahan is a local preacher of the Methodist Episcopal Church, and lived at least eighteen miles from the river, and it is not even pretended by any, that he has been in Kentucky to offend against the laws of that State. In time to come, how shall the Governor of Ohio credit a Grand Jury of Kentucky.

This is still worse than kidnapping Eliza Jane Johnston. It is kidnapping by perjury and intrigue. A still sadder deed in thunder tones for the destruction of the bloody system of slavery. Let the sufferings and wrongs of this persecuted and innocent man inspire new zeal, and let the tears and cries of his helpless wife and children move every humane heart in the land, and let the horror be spread before the world. Is it strange that perjury should follow in the train of robbing a man of liberty?"

A FRIEND OF THE OPPRESSED.

"GOSPEL OF THE JUBILEE."—We have received a few orders for this work, which we are unable to supply, as there are no copies of it in our office. If Mr. Crothers will forward us a few hundred, we will cheerfully dispose of them for him.

"ILLINOIS STATE SOCIETY."—We recently received from our friends in Illinois a notice of the meeting of this Society, but we regret that it came too late for seasonable insertion. The Society was to meet yesterday.

"Pledge of the Ohio State Anti-Slavery Society."—Resolution passed at the last Anniversary of our State Society in Granville.

"Resolved, That the Convention believes, that it is vitally important to the cause of Abolition, in the West particularly, and throughout our country generally, that the PHILANTHROPIST be sustained; and that to this end, each member of this Convention will endeavor to procure at least one subscriber, and induce each family in his or her neighborhood to take at least one copy."

It is a little marvellous, that new subscribers came in more rapidly before the date of this resolution, than they have done since. The pledge has probably been forgotten. So far, the Philanthropist has not been the gainer by it. How can Ohio Abolitionists expect their own paper to be maintained, unless by their own exertions!

A DIALOGUE.
Well, you say you are an Abolitionist!
Yes—I joined a Society about three years ago.
Do you hold meetings pretty frequently?
I don't know—I have had so much to do, that I have not been able to take an active part.

Do you subscribe for an anti-slavery paper?
No, I am taking so many papers—I have never yet found myself able to subscribe.

Has your Society raised any funds for the good of the cause?
I guess not—I have heard of its meeting once or twice a year, and passing some resolutions, but I rather think they do not do much in the money line.

I suppose you have given a mile now and then?
O, no—times are so hard—a man has to be very saving, if he wants to lay up any thing for his children,—however, I wish it well, it is a great cause, and as they say, truth is mighty and will prevail,—but it won't do to rely too much on human effort.

Yes—truth will prevail—I suppose you have heard how it has prevailed in the West Indies—how Great Britain has entirely emancipated all her slaves!

I did hear something of that matter—I think there was a little scrap about it in one of the religious papers I take.

Our cause has advanced very rapidly for the last year. That was a speech of John Quincy Adams, concerning Texas and the right of petition, last session of Congress!

What did the old man make a speech about Texas? Why, I haven't seen any thing of it.

Is it possible? Have you seen no notice of it in any of your religious or literary papers? They must be a curious set of newspapers. It is likely they are not aware of the celebrated correspondence, carried on a few months since between Mr. Birney, and Mr. Elmore of South Carolina!

No—I did not hear any thing about this, until a few days since. I saw a brief notice of it in the New York Express. The editors of that paper say that they themselves "were not aware of the fact," till they "saw it stated in the Charleston Courier, that the representatives in Congress from S. Carolina had opened a correspondence with the Abolitionists."

Is that Mr. Birney the same man who used to edit a paper, what do you call it, in Cincinnati?

The Philanthropist, you mean—yes, he was once its editor. I suppose you know this paper was purchased two years ago by the Ohio State Anti-Slavery Society, and is now its organ!

No—I was not aware of it. Some person, I believe, once called on me and wished me to subscribe, but I was taking our county paper, and the Philadelphia Saturday Evening Post, and two or three religious papers, and could not afford it.

Well, my good friend, you say you are an Abolitionist, a member of an Abolition Society; answer me then one question: Suppose all Abolitionists were just like you, how long would it take to abolish slavery?

There is truth in the Dialogue. It will be recollected, that in our Circular to the Societies in this State, we desired the secretary of each society to report the number and names of the anti-slavery papers taken within its bounds. The returns reveal some striking facts. We subjoin in one column, the numbers of members in 9 societies, and in another, the number of copies of the Philanthropist taken by them respectively.

Soc's.—No. of Members.	Cop. of Phil't.
93	5
81	1
95	1
96	1
92	2
60	1
132	3
64	1
139	1

The foregoing is but a specimen of the disproportion which generally exists throughout the State between the number of professed Abolitionists, and the number of subscribers to the paper. Now are we to believe, that within the limits of that Society which numbers 139 members, there is but one person ABLE to subscribe for an anti-slavery paper? We believe no such thing; one-fourth of them at least, must subscribe if they would.

We hope that those Abolitionists, who think it of any importance to sustain anti-slavery papers, will take pains to get these items before negligent and lukewarm Societies. It is creditable to the Abolitionism of Ohio, that it does not sustain more vigorously its own official paper.

"Pledge of the Indiana State Anti-Slavery Society."—Resolved, That this Society approves of the spirit and manner in which the PHILANTHROPIST is conducted, and that our interests and the general interests of the cause in the West, demand its encouragement and support; we therefore, adopt it as our OFFICIAL ORGAN, and request all Abolitionists to use their exertions to extend its circulation.

"OHIO'S FOR BOOKS."—We wish our friends to understand that our Depository does nothing but a cash business. The resolution of our Executive Committee is as follows:—

"Resolved, That our Publishing Agent be instructed to sell no books, pamphlets or papers out of the Depository on credit."

This rule will invariably be observed hereafter. It is an important one, and adherence to it is absolutely necessary to the keeping up of the Depository.

OBSEQUIES ANNUAL CATALOGUE FOR 1838.—Faculty, Rev. Amos A. Mahan, President and Professor of Intellectual and Moral Philosophy; Rev. Charles G. Finney, Professor of Didactic and Polemic Theology; Rev. John Morgan, Prof. of Lit. New Testament; Rev. John P. Cowles, Prof. of Lit. Old Testament; Rev. Henry Cowles, Professor of Ecclesiastical History and Pastoral Theology; Timothy B. Hudson, Professor of Latin and Greek Languages; James Deacon, M. D., Professor of Chemistry, Botany and Physiology; Rev. George Whipple, Prof. Math. & Nat. Philo. Edward Wade, Esq., Professor of Law; Rev. James A. Thome, Professor of Rhetoric and Belles Lettres; George N. Allen, Teacher of Sacred Music; Rev. Theodore J. Keep, Tutor.

Summary of Students.—Theological Department, 44; Collegiate, 113; Shorter Course, 9; Irregular, 2; Male Preparatory Department, 97; Young Ladies, 126;—Total, 391.

THE ZION AND LOUISVILLE LIBRARY GAZETTE, is the title of a new weekly paper, devoted to literature, and published at Louisville. It has a larger proportion of original matter, than most of our literary exchanges, and the articles in the number just received are both useful and entertaining.

THE XENIA FREE PRESS appears in an enlarged form and is now one of the handsomest papers we receive. We are glad to see that the editor has opened an Anti-Slavery department. Success to him.

Indiana State Anti-Slavery Society.
Mr. Clarke, the Corresponding Secretary of the Indiana State Anti-Slavery Society, requests us to say, that the Executive Committee of that Society have resolved on the immediate appointment of two agents for the State; one to devote his time chiefly to lecturing, and forming societies; the other, to extending the circulation of the Philanthropist, obtaining donations, getting up anti-slavery libraries, &c. The Executive Committee ask help from abroad; the cause in Indiana is yet in its infancy, and they trust that their Eastern friends will assist them in rearing it up to maturity.

The address of the Corresponding Secretary, is, Rev. John Clarke, Lawrenceburg, Dearborn county, Indiana. The Executive Committee will meet on the 26th of October, in Decatur county. We expect, that they will take immediate measures to make themselves felt throughout the State. The laws of Indiana in relation to colored people will doubtless claim their attention; and it is probable that they will give such an exposition of them, as to guide and stimulate the efforts of Abolitionists in that State, to procure their repeal. We hope that Indiana will send up to Congress next session, a hundred times as many petitions for the abolition of slavery and the slave-trade in the District of Columbia, as it did last year.

"CALHOUN'S RESOLUTIONS."—We wonder whether the Senate will permit Mr. Calhoun's celebrated slavery and nullification resolutions to stand on its Journals. Will not some member of the Senate, at its next session, move that they be expunged? We hope that a resolution to this purport may be introduced. The precedent of expunging has already been set; so there will be no difficulty on that score.

CORRESPONDENCE WITH CANDIDATES.

About the first of September, several of the voters of this county addressed a few interrogatories to the congressional candidates of this district, respecting their opinions on the right of Congress to abolish slavery in the District of Columbia, &c. The questions are subjoined:

"1st. Do you believe that Congress should maintain unflinchingly the right of the people to petition for the Abolition of Slavery and the Slave trade in the District of Columbia?"

"2d. Are you opposed to the annexation of Texas to the Federal Union?"

"3d. Is it in your opinion the constitutional right of Congress to abolish Slavery and the Slave trade in the District of Columbia?"

Signed by the following names:
John Boggs, E. S. Close, James W. Sellers, A. Aten, Peter Perle, S. F. Ledman, John Lincoln, Isaac S. Brower, J. C. Rogers, James G. Ludlow, Win. Carey, N. S. Schooley, Alexander Pendergast, A. F. Williams, Ben. Bassett, R. E. Price, D. Raymond, Ben. Bonnell."

The answer of Dr. Duncan, the Democratic candidate, owing to its great length, we were obliged to insert on our fourth page. Mr. Pendleton, the Whig candidate, replied as follows:

Gentlemen: I have received your letter, in which (after proposing certain questions relative to the exciting subject of Abolition,) you say: "In making these inquiries we speak in behalf of a large number of voters of this district, and would frankly say that we are anxious to know your opinions respecting these questions, that we may be enabled to exercise intelligently the right of suffrage." Thus I am enabled to answer you with all plainness.

Your first question is—Do you believe that Congress should maintain unflinchingly the right of the people to petition for the abolition of slavery and the slave trade in the District of Columbia?"

The first amendment to the Constitution provides that Congress shall make no law abridging the right of the people peaceably to assemble and petition the Government for redress of grievances." It will be remarked that the Constitution assumes the existence of the right to petition, and prohibits Congress to abridge it. The prohibition is not, that Congress shall not abolish the right to petition; but that Congress shall not abridge it, so as to exclude from its operation any grievance actual or supposed. The right of the people to petition thus recognized and guarded by the constitution, implies the obligation of Congress to receive their petitions. I therefore answer this question in the affirmative.

Your next question is—"Are you opposed to the admission of any new State into the Federal Union, whose constitution tolerates slavery?" Is it in your opinion the constitutional right of Congress to abolish slavery and the slave trade in the District of Columbia?"

I think Congress has this right under the power to exercise exclusive legislation in all cases whatsoever over such District, not exceeding ten miles square, as may by cession of particular States and the acceptance of Congress, become the seat of Government of the United States. The slave trade in the District should, in my opinion, be abolished unconditionally—the other question is attended with more difficulty.

I have thus given you my opinions of the constitutional authority of Congress in the important matters referred to. It is, however, to the relation in which I stand to the people of this district, to say, with the utmost frankness, that I do not consider myself pledged or concluded by this declaration. Should I be in Congress, and the questions referred to come up, I shall feel myself at liberty to decide upon them, under the circumstances, as the exigency of the case may seem to require.

I am, gentlemen,
Your obedient serv't,
N. G. PENDLETON.

To Messrs. James C. Ludlow, and others.
Remarks.

Our friends in the district have the answers before them. We shall not pretend to prescribe their course. A homely saying will express our own opinions,—six of one and half a dozen of the other."

They both profess to be opposed to the smallest abridgement of the right of petition.

Dr. Duncan is "opposed" to the admission of any new State into the Union whose constitution tolerates slavery. Mr. Pendleton would confine slavery, "as far as practicable, to its present limits, by a judicious and prudent exercise of the

constitutional authority of Congress, for the admission of new States into this Union." On this point, Dr. Duncan is direct, explicit, unqualified; Mr. Pendleton, evasive and non-committal—he dodges the question. He might find it in the whole, "judicious and prudent" to admit Florida, or even Texas, if slaveholders should threaten a little too fiercely. Dr. Duncan, by his answer, whether he designed so to be understood or not, is committed against the admission of any slave-State, be it Florida or Texas.

On the third question, they change places. Mr. Pendleton is clear, direct, and positive; Dr. Duncan, prolix, uncertain, non-committal. Mr. Pendleton believes that Congress has power by the constitution to abolish slavery in the District of Columbia; his antagonist is doubtful, perplexed, cannot give a "definite answer." As to other matters, Mr. Pendleton holds that the slave-trade in the District should be unconditionally abolished—that is something; and Dr. Duncan hates slavery with a deadly hatred;—and that is something. But mark,—should the former be in Congress, and be called upon to act on the questions referred to, he would feel himself at liberty to decide upon them as the exigency of the case might seem to require; and the latter, while he ascribes good motives to Abolitionists, declares that to agitate the question of slavery now, contrary to the "wish" of slaveholders, and "in the face of their approbation," is in some degree to violate the conditions upon which the Federal Government was established!"

The two candidates are non-committal; and so are we,—may, not that exactly; we are committed against both of them. The cause of freedom has nothing to expect from them. Abolitionists in this district will do as they see proper; for one, we vote for neither. Henceforth, while slavery shall exist in the District of Columbia, no candidate for Congress shall receive our vote, who will not go for its abolition. Our country has been disgraced long enough by licensing this system of wholesale robbery. It is miserable trifling to indulge slaveholders one year longer.

HEAR BOTH SIDES.

The editor of the Selma Free Press is scandalized at a story told a few weeks since in our paper, by a correspondent. According to his request, we insert his comments upon it. They are not very complimentary to ourselves; indeed, so deficient is the whole article in courtesy, that we should feel perfectly justified in denying it a place in our columns. But we wish to convince our Southern neighbors that we love the truth, and are always willing that our readers should hear "both sides of the question," though perhaps at our own expense.

"There must be an immense deal of knavery, as well as fanaticism among a portion of the Abolitionists, else they could not fabricate and give currency to such monstrous slanders as the following taken from the Cincinnati 'Philanthropist.'"

That there are monsters in human shape in the States tolerating slavery, as well as in other States and countries, we shall not undertake to dispute. But this assertion can not mitigate in the least, the outrageous falsehood contained in the extracts below; purporting to tell "the every day scenes of Slavery!" The editor who presents the public with such statements as these, for facts, and mentions them as common occurrences, is most inexcusably ignorant of the subject about which he undertakes to enlighten the public, or else he possesses a heart deliberately and maliciously bent on perversion and slander.

How it happens that a person residing in a country where slavery (though it may exist) is not recognized by law, we shall not undertake to dispute. But this assertion can not mitigate in the least, the outrageous falsehood contained in the extracts below; purporting to tell "the every day scenes of Slavery!" The editor who presents the public with such statements as these, for facts, and mentions them as common occurrences, is most inexcusably ignorant of the subject about which he undertakes to enlighten the public, or else he possesses a heart deliberately and maliciously bent on perversion and slander.

Again we say, the author of these tales of "the every day scenes of slavery," must be a most deplorable ignoramus, or the most wicked and malicious fabricator of falsehood and slander. No wonder that such "heart-sickening and disgusting pictures of slavery" should operate so violently upon the religious sentiments and tender sympathies of the doubtless well meaning, though weak and credulous superstition, who by thousands and tens of thousands, are interrupting the national councils with their ignorant complaints, and mischievous petitions on subjects in which they have no real concern, than the inhabitants of one of the far distant planets.

A monster like the one described in the extract below, if found in this, or, we are persuaded, in any other section of the slave-holding States, would excite feelings of as strong and deep detestation and horror, as would be felt in the slave-hating region, for which these fabulous "every day scenes" are fabricated.

Though the ignorant and weak minded may be deluded by these wickedly devised and mischief-intending fabrications, we are happy to believe that the great mass of the worthy and intelligent people of Ohio, are far too sensible and well informed, to be thus imposed on. They will not, we feel assured, give credit to these reckless and profligate charges; charges, which if true, would show a large portion of their countrymen to be the basest and most abandoned of the human species;—charges, which if true, would show a large portion of the human species to be the basest and most abandoned of the human species;—charges, which if true, would show a large portion of the human species to be the basest and most abandoned of the human species.

Will the editor from whose paper the following is taken, give these remarks a place in his paper?

So far as we understand this gentleman, he does not deny that such brutal conduct as that alluded to, has happened in the slave States; but simply denies that such conduct is of "every day" occurrence.

We frankly confess that the language of our correspondent may have been too strong; it escaped our attention at the time of its publication, or we should doubtless have taken the liberty of altering it. Still, we do believe such scenes to be of common occurrence at the South. We know what human nature is; what are its weaknesses, what its passions. We know that the law provides no safe-guard for the slave-woman of the South. The only barrier between the wretched slave and the diabolical lust of the master or overseer, is the moral sense of the community; but what check can this be on immense plantations, where the only community the offender has to fear, is a slave-community! Admitting, however, that concealment is out of the question, what need be apprehended from a community, which thinks so lightly of chastity among female slaves? Will the editor of the Free Press deny, that Chancellor Harper of South Carolina, fairly represented public sentiment in the South, when he said—"the want of chastity, which among females of other countries, is sometimes vice, sometimes crime—among the

free of our own, much more aggravated; among slaves, hardly deserves a harsher term than that of weakness?"

In countries, where every barrier is thrown around female helplessness which public opinion, manners, parental care and the most severe laws can provide, there is a devil in man that will not unfrequently run all hazards and trample all obstacles under foot, in the pursuit of its infernal object. What must take place, where woman is turned loose without any protector, abandoned by the law, and out of the reach of the guardianship of public opinion, under the sole control every hour of the twenty-four of men, whose habits nurture contempt of human rights, impurity of thought, and the fiercest and most grovelling passions? We tell the editor of the Selma Free Press that he is a mere novice in the science of human nature, most "deplorably ignorant" of the corruptions of human society, and especially of the communities around him, if he imagine that such scenes as have been alluded to, are not of frequent occurrence in the slave States. He must know better. We could tell him of a case infinitely more horrible than the one he calls in question,—infinitely, we say, in all sobriety; and this case too resting upon authority which we know he would not venture to dispute. We could tell him of such a case, but will not; dare not. Our columns would be polluted, and we be disbelieved. It happened where it did, not because a Southern state is worse than a Northern state, but because a slave-State is worse than a free one; not because the actor in it was a citizen of the South, but because he was subjected to such temptations, deteriorated by such influences, furnished with such opportunities, as can exist only where slavery exists.

CELEBRATION IN GREAT BRITAIN OF THE TRIUMPH OF FREEDOM.

We have received several British papers, filled with accounts of the celebration, in different parts of Great Britain, of the triumph of freedom in her Colonies. We wish we had more room for extracts. It makes one think better of human nature to see a great people, laying aside all selfish feelings, and lifting up the voice of thanksgiving and praise for the accomplishment of an object of pure, disinterested, sublime philanthropy. It was not avarice, it was not ambition, it was no mercenary feeling that for years had made the heart of a mighty empire throb with indignation at the wrongs of the negro, and caused millions of voices to demand their redress. No, it was the SPIRIT OF HUMANITY, a love for man universally, that glorious, omnipotent principle, which constitutes the essence of the religion of Jesus Christ, through the power of which it is destined to spread over the whole earth a pure, exalted, spiritual civilization, such a civilization as shall lead all men to love one another as brethren, and recognize in each other the children of one parent, even God.

The Churches.

In Glasgow, the churches on the first of August were generally opened for service. George Thompson, in the absence of Dr. Wardlaw, addressed an audience in his church. We can give but a short extract from his interesting address. It is indeed beautiful.

"Mr. Thompson said, he felt the importance and the responsibility of the task now imposed upon him, in occupying the place of the respected pastor of that church and congregation, in his unavoidable absence; but he nevertheless most willingly undertook the discharge of that duty, which he (Dr. W.) would have discharged with so much satisfaction to them, as at all times he did, in similar cases, with so much credit to himself. He felt deeply the honour of having the present opportunity of meeting them once more, and was assured of this one thing, that he would feel himself richly rewarded if in any degree he could make up for that lack of service which the absence of their pastor must occasion."

He (Mr. Thompson) then proceeded to observe that the last words written by the illustrious and immortal Wilberforce, in that eloquent and Christian-like appeal to the justice, and humanity, and religion of the country, which he sent forth some years ago in behalf of the negroes in the colonies of the British Crown, were these—"Our ultimate success is sure, and ere long we shall rejoice in the consciousness of having delivered our country from the greatest of her crimes, and rescued her character from the deepest stain of dishonour." These were the last words of a work written for the purpose of influencing the minds of the people of this country in favour of the extinction of slavery in the British colonies. If, then,—(and he rejoiced, oh! how sincerely and deeply, at the events of that day)—the prayers and prophecies of that great genius, who was fulfilled skill, or by God, then surely they were called upon, that joyous, that almost blessed day,

(Continued from first page.)

on between the States. He could not give his assent to this plausible assertion. That Congress had power to regulate commerce among the States was a provision of the constitution, and of course was not made in vain. But he admitted that this power ought not to be exercised except for good cause. Cases however might arise, in which it would be the duty of Congress to act. Suppose, for instance, that a war should break out between our northern and southern borders; ought not Congress to preserve the neutrality of our country, and prevent the citizens from aiding, either directly or indirectly, either party? Surely Congress could prohibit the importation of gun-powder, or any other munitions of war, by any State, even as it could prohibit the importation of slaves, or any article of merchandise, where it was intended to place such articles in the power of either the contending parties? He had no doubt of the exercise of such power. The question then is, can Congress legislate on the subject of commerce between the States? That they could, was an almost self-evident proposition. And as long as slaves are considered property by the States, they can legislate as to that kind of property. Also on the subject of the slave trade between the several States, Mr. M. said he was not without authority.

Congress had the power given them to prohibit the importation of persons into any of the States after the year 1808. The word importation, as used in the constitution, ought to be considered as relating to trade; and if Congress could regulate trade, they could also exempt from its operation any article they pleased. It will be seen by an act passed the second of March, 1807, that Congress undertook to regulate the slave trade among the several States. The first object of this act seems to be to confine the transportation of slaves from one port to another, within the United States, to vessels of a particular class, and also to prevent colored persons who were not slaves from being kidnapped and sold as merchandise. This act proves fully what he wished to prove, namely, that Congress had ample power to regulate this trade, and he contended that this power might be exercised if the public good required it, to the total prohibition of slave trade. Mr. M. said, he trusted that he had established his two great points. First, the power of Congress to abolish slavery in this district, and in the Territories. Second, its power also, to regulate or prohibit the slave trade among the States. This power, therefore, he believed belonged exclusively to the General Government.

Mr. M. said, if Congress do not possess this power, why does not the Senate at once so declare? why not say to petitioners on this subject, that we have no power to grant the object they seek, and thus it possible, save the people from the expense and trouble of forwarding their petitions which are daily crowding in upon us.

This, he thought, would be a more manly and dignified course, than to shut our doors by refusing to receive their petitions. Such a course would be more conciliatory, and he thought would tend, in a great degree, to quiet the public mind on this subject; if it could be believed Congress did not actually possess this power. It had been said, that the right of trial by jury had been insisted on for a person of color, who was found in a free State, and claimed as a slave. The very idea, however, of giving a person of color, jury trial, had been so far from Mr. M.'s mind, that he had called for his opinion on that subject, and had been reminded that the act of Congress of the 12th February, 1793, had provided, the mode by which a fugitive slave could be reclaimed. He was aware of the provisions of that act. But he insisted that the trial by jury, was the birthright of all in this country, and that it was secured equally to the colored person with the white race. In the free States, color is no evidence of property; it does not, therefore, reduce a person to a thing, and a person in any State has the right to claim the benefit of the laws of such State. A State which has not the power to protect a person within its jurisdiction, of whatever color or complexion he may be, from personal violence, and secure to him the benefit of its own laws, has lost its sovereignty, and is unworthy the name of a free and independent State. He contended that this right had not been given up by the States in any instance, to the General Government, and the law of the 12th February, 1793, ought to be repealed, as it claimed the giving up a right which no sovereign State could abandon, and which no other power could claim from them.

Mr. M. said on all these topics he had expressed his opinions, without reserve. He regretted much that he should differ with his colleague, but if he was wrong the correction was with his State, his Legislature was now in session, and he especially called the attention of that body, to these important subjects. There was, he said, one or two other remarks he wished to make before he closed. He understood the Senator from South Carolina, over the way, (Mr. Preston) in reply to a remark of the Senator from Illinois, (Mr. Young) to say that if any person who propagated abolition doctrines in any of the States, or in fact was an abolitionist, if found in the State of South Carolina, would be immediately hung. He understood, too, that this would be done not by a lawless mob, but by the authority of the State. The great distance which his seat was from that of the Senator, first named, prevented him hearing very distinctly, but he now called upon both Senators to correct him if he was mistaken.

No answer being given, Mr. M. proceeded: He said the avowal of such sentiments was not only in derogation of the constitution, which declares Article 3d, section 2, "That the trial of all crimes, except in cases of impeachment, shall be by jury; and such trial shall be held in the State where the crime was committed," &c., but was shocking to every sentiment of humanity, and every principle of justice. It would be the punishment of a man for no crime, whatever. A citizen of one of the free States, in his own State, publishes an article on slavery, which is obnoxious to the South; his article may be taken to South Carolina, for instance; he goes there on ordinary business, without any intention of publishing or using the article there, or even speaking on the subject of slavery, while in a slave State. He is, however, arrested and executed—hung as the Senator says—hung for what he had done in a distant State, which was no crime there, but a right secured to him by both the constitution and laws of the land. Mr. M. said with these sentiments expressed here, he could hardly believe the evidence of his own senses. He would, however, restrain his feelings, and only say, that when the free States are prepared to submit to a doctrine of this kind, then they were not only slaves themselves, (though not perhaps so degraded as the colored race), but they were also fit to be so.

Mr. M. said, he regretted to hear, he deplored the constant threats shown against abolitionists. He thought, he attributed, in a great degree, the violence and mob which had so deeply disgraced the country, and whose deeds had been written in blood, never to be effaced. Who will dare say, that there shall be one law for abolitionists, and another for other citizens? Who will deny the same rule of justice to all our citizens? Let that man, if he is to be found, now step forward. If abolitionism be that great wickedness, which these resolutions seem to imply, why not put it down at once, by penal enactments? Prove to me, said Mr. M., that it is half as bad as we daily hear, show me that we have the power, and I would at once resort to penal laws against it, inflicting the severest penalties on its votaries.

This he continued, would be a far more patriotic and honorable course, than flimsy resolutions, which would be thrown back in the face

of Congress, with perhaps equal if not greater effect. The resolutions have been compared, to the Virginia and Kentucky resolutions of '98, but Mr. M. could see no analogy, whatever, between the two cases. The Virginia and Kentucky resolutions were the assertion of constitutional rights, which were attempted to be wrested from the States by the General Government. Here we have the General Government itself contending with individuals for their rights, forgetting its high duties, and descending to exchange wry faces with abolitionists; it was a kind of debating match, in which Congress will be found, but second best.

Mr. M. said, the duty of Congress was to provide for the safety and security of the country, by the enactment of sound and wholesome laws, and not to quarrel with individuals, or societies of men, about their opinions, creeds, or moral faith. A d he called upon gentlemen, to assume the proper character, that of legislators of the country, and if they would venture upon so desperate an expedition, as to deny the right of petition, or the liberty of speech, or the press, to do so by positive enactment. If we have given all up to Congress, and have nothing left which we can call our own, he should be glad to know how much liberty Congress would be pleased to allow; but even this was denied, when we shut our doors, in the face of petitioners asking for liberty itself. He felt confident that such a state of things as at present existed, could not long continue. The question was now fairly before the people, a people who are willing to bear as long as evils are endurable, but when the occasion calls for it, will most assuredly assert their rights, in a voice not to be misunderstood. To that people he submitted the present issue.

Before he closed, Mr. M. would make one or two remarks on what had been said by a Southern Senator, on a former occasion, on this same subject. He, the Senator, said he saw no good that was likely to result from these resolutions to the Southern States, it was with them in discussion on this subject, like throwing a copper with their opponents for victory and saying if head you win, if tails I loose. Mr. M. had no doubt of the correctness of the idea, and this would always be the case where liberty, freedom and justice, was contending against the exercise of unwarrantable power and oppression. But our sympathies had been invoked by the same Senator in portraying the danger and alarm that the discussion of slavery was likely to produce at the South, at least amongst their wives and children. Mr. M. said he felt as sensibly as any one could for all his fellow citizens, and for their safety and comfort in all parts of the Union. But he could not believe that in a faithful administration of the Government, and under the broad shield of the Constitution, any of our citizens ought to feel the least alarm for their personal safety. He had said, and he now repeated it, that all were equally protected, but the remarks of the Senator were well calculated to fill the mind with fear and grief. Are we to understand, that in any of the States there exists an institution the very examination of which is likely to produce the disastrous consequences suggested? And that for fear of such consequences the right of petition was to be denied? He trembled at the prospect before him, as presented by southern gentlemen. From the same quarter also this discussion, said to be so fearful, had been urged upon the Senate! He would not ask what are wives and children, friends, property, country, &c. even life itself, worth under a government, to sustain whose institutions the citizens must be deprived of speaking, writing, printing and publishing their opinions; and where the right of petition to those in whose hands are the destinies of the people, is either in whole, or in part, destroyed?

DR. DUNCAN'S LETTER.

MONTGOMERY, Hamilton co., Sept. 15, 1838.

Gentlemen,—On my return home after an absence of nearly two weeks, I found upon my table a letter containing the following questions propounded to me.—Recognizing, as I do, the right on your part to interrogate me, or any other person who is asking office at your hands, on any and all questions which may be involved in the exercise of my or their official duty, should you see proper to bestow that office; and believing this call to be made from pure, friendly and conscientious motives, I have no hesitation in promptly answering all your questions, so far as I am prepared to answer.

Question 1st, "Do you believe that Congress should maintain unbridled, the right of the people to petition for the Abolition of Slavery and the Slave-Trade, in the District of Columbia?"

Answer, I do. The right of petition is secured by the Constitution to the people, and is inviolate—and the Constitution itself answers your question in plain and unequivocal language. The people have a natural, political and constitutional right to petition Congress for every thing not forbidden by the Constitution. Every thing which is a legitimate subject of legislation the people have a right to petition for—and of this they are and of right ought to be the judges. The representative who would arrogate to himself the right of dictating to his constituents for what they should petition, would virtually violate the Constitution, and would be unworthy a seat in any representative body. So long as I have a seat in Congress, I will receive and present abolition and all other kind of petitions proper to be presented.—I will also move their reference to the appropriate committees, and do whatever else may be proper to be done, to bring the subject matter before the body in which I may have a seat, for its regular action. But as I am not interrogated as to the balance of my duty, it is not expected that I should answer.

Question 2d, "Are you opposed to the admission of any new State into the Federal Union, whose constitution tolerates slavery?"

Answer, I am.

Question 3d, "Is it in your opinion, the constitutional right and the duty of Congress to abolish slavery and the slave-trade in the District of Columbia?"

I regret to say I am neither prepared nor qualified to answer this question, either by my own satisfaction or that of others. The question is constitutional in its character, and requires a purely constitutional answer.—It involves no question of expediency or propriety, nor will it admit of such an answer, or the task of answering would be an easier one.

If it were the duty of Congress to abolish slavery in the District of Columbia, Congress would have the right to do so, because there must reside a right somewhere to do what ought to be done. All moral duties ought to be performed; but not "a converso," with regard to the Constitution. There may be constitutional powers vested in Congress, which it might be unwise and impolitic to carry into practice. I am not prepared to say that Congress has not the constitutional right to abolish slavery and the slave-trade in the District of Columbia. The Constitution is silent on the subject of slavery.—this is a curious fact, and but for another fact, viz. that some of the States have abolished slavery within their limits, I might be led to conclude that Congress has no such power. It is a fundamental principle with me, and I believe it is so with the democratic party, that Congress can exercise no power except what is expressly authorized by the Constitution, while the State authorities can exercise all powers (not morally wrong) which are not prohibited by the Constitution.—So much for the constitutional authority of the Federal and State governments.

But does not Congress act in the double capacity of a Federal Legislature, and a State Legislature? In

the first instance, as when it legislates for the Union on national questions and for national purposes, and in the second instance, as when it lays off its national character and resolves itself into a committee of the whole upon the District of Columbia? In this last capacity, has Congress not the same power over the territory composing the District of Columbia, that the State legislatures have over the territory composing their respective States? I am not in possession of the deed of cession, by which the District of Columbia was transferred to the Federal Government; nor am I in possession of the original Colonial charters, by which Maryland and Virginia were established.—I do not know what provisions each may have contained with reference to slavery and the slave-trade in each of the colonies. But whatever their political rights and whatever the rights of private individuals might have been in regard to slavery and the domestic or inland slave-trade which were claimed under them, I believe they were reserved and secured after the American Revolution; and in the formation of the Federal Constitution they were recognized; or perhaps it is more proper to say that the institutions of slavery in the States of Maryland and Virginia were left undisturbed by the Revolution and the formation of the Federal Constitution. So that if it was not the intention of the framers of the Constitution to expressly warrant slavery, they were disposed, by way of compromise to effect and secure the great purpose of the Union, to tolerate it or leave it just as they found it. Now a question comes up. In making the cession to the Federal Government of the territory composing the District of Columbia, together with the exclusive jurisdiction (legislative and judicial) over that territory, could the legislatures of Maryland and Virginia confer any other power upon the Federal Government over the personal property and real estates of those who resided within the territory thus ceded, than what they possessed over the property of the citizens before the cession was made. Or in other words, did the Federal Government acquire any more power over the property of the citizens of the District of Columbia than the governments of Maryland and Virginia had when they made the cession. I presume this will not be contended for.—If this be true, then Congress has no more power over slavery and the domestic or inland slave-trade within the District of Columbia, than had the legislatures of Maryland and Virginia before the cession was made. What that power was I am unable to say, for I have neither their colonial charters nor their state constitutions. I suppose, however, that the States of Maryland and Virginia have the same power to abolish slavery and the slave-trade that the other States possessed, who have rid themselves of slavery; and if so, Congress has the same power, for it succeeded to all the powers that they had at the time the cession was made.—I mean to say that Congress has the same power over the District of Columbia and the citizens and property thereof, that the legislatures of Virginia and Maryland had over the citizens and property of their respective States. But next, in what consisted that power by which the free States abolished slavery within their limits? Was it by a provision or reservation of power in the original colonial charters, or in their state constitutions? Or was the power exercised in conformity with the will, approbation or desire of the people expressed through the ballot boxes? This by me must go unanswered, for I am not in possession of the means of information. If there existed neither charter nor constitutional power to authorize the abolition of slavery and the slave-trade in those States where slavery has been abolished, (and any provision in a colonial charter must have been recognized by the constitution, if there was a constitution,) then the power must have emanated directly from the people. Such being the case, the same power now exists as applied to the slave States and to the abolition of slavery. The work must be directed by the people—it must be the work of the people; for nothing short of a majority of their voices would warrant the passage of a law which could constitutionally affect their property in their slaves. The Constitution secures in direct terms to every citizen in the United States the benefit of his property, except that it should be necessarily condemned for the public use, and then the public is bound to pay him a fair and full compensation for it.

The moral thought may be horrible, that one man should hold a property in another,—should hold him involuntarily in unlimited slavery and unconditional bondage in this land of liberty, and of laws whose fundamental principles and whose Constitution recognize all men on a political equality. We have legal fictions—they appear to be ridiculous; but political fictions serve to be superlatively ridiculous when they serve to keep nearly three millions of the human race within the borders of this happy and free republic in unconditional slavery and involuntary bondage.—I say such a thought may be horrible to the philanthropist, and big with fraud, crime and iniquity, but we must take things sometimes in this world, as we find them; they are not as we would like to have them.

I regret that I am not prepared to give a definite answer to your third question. It is one which requires careful, deliberate and patient investigation, and the only apology I have for not being better prepared to answer your interrogatory is, that it has never been my duty to act officially upon the subject; when that time shall come, I will be at my post, and prepared as well as I am capable to discharge my duty with reference to what I suppose to be for the best interests of my country and to the support of the Constitution.

I have stated that I am not prepared to give you a definite answer to your third interrogatory. This may be construed into a wish to dodge the question—not so, and to avoid such a supposition or construction, I will show you that I am not entirely without opinion on this important subject, nor have I any hesitation in expressing that opinion at all times, so far as I have made it up.

There is no man living, perhaps, who is more deeply hostile to slavery than I am. My feelings—my education—the circumstances that have surrounded me through life, constitute the natural and political rights of man—all conspire to make me abhor it as one of the greatest evils that exists on the face of the earth. Yes, greater in its moral effects and corrupting tendencies than all other human evils put together. It is not only a moral and political evil within itself, or intrinsically so of the darkest and most damning character, but in all its bearings and effects calculated to produce the most fatal effects on both the moral and the political interests of our country. It is an evil that has, does now, and will in all time to come while it exists, involve in it, as well in its present possession as in its future operations, crime, fraud, theft, robbery, murder and death. For the truth of what I say as to its present effects upon the institutions of our country, I have only to refer you to a view of the slave States in our Union and a comparison between the relative condition of the improvements and the free States. You see the free States happy and flourishing to the admiration and astonishment of all who see them. Public improvements and private prosperity are swift and head and hand in the race, while on the other hand poverty, leanness and hungry sterility, and wretchedness seem to cover the face of the land, in many parts where slave institutions have a residence. Cross the line that separates the free from

the slave State, or stand upon it and look across the former, you will see comparatively all life, all happiness, all prosperity, both public and private, but turn your eyes upon the latter and survey it, everything material, (except a few of the wealthy proprietors) bearing the impress of poverty and dilapidation; all look as if pestilence and famine had been making their sad innovation. The anger of God and the vengeance of Heaven seem to rest upon every thing upon which you can cast your eyes. Every prospect seems to be withered and withered by the frown and disapprobation of avenging justice and violated humanity. In short, almost every institution, every prosperity, public and private, seems to be sickening and dying from the corrupt and corroding effects of slavery. But the curse be on the head of those who sustain such an institution. We found it when we found ourselves in possession of our new, our free and our independent (free and independent of other powers) government. We have neither shared nor lot in either the benefits or the crimes of slavery. It was tolerated by our ancestors at the formation of the government and the adoption of the constitution, to secure and perpetuate our independence, which had cost so much blood, so much treasure, and so much toil. The toleration of slavery was one of the conditions upon which the slave States agreed to enter into the confederation and to adopt the constitution; and to disturb the question now, contrary to their wish and in the face of their approbation, is in some degree to violate the constitution upon which the federal government was established, and if persisted in may greatly endanger our happy Union. It would be arrogance in me and show a great want of generosity and liberality, to hesitate for a moment to believe that in the greater number of cases the spirit of abolitionism flows from any other than the purest fountain of charity and humanity. I believe that hundreds and thousands of those who are zealously supporting the abolition cause, are governed by no other than a wish for the best interests of the country and the purest principles of humanity; yet I have not been able to concur in abolitionism. I have thought and do think that it is mistaken philanthropy; and I would fear the effects of abolitionism, even if there were no constitutional objections or violation of personal or state rights in carrying out the system. I fear the effects would be more fatal to the unhappy and the unfortunate African, than even slavery itself. Nor can I help fearing some fatal consequences from the continuation of slavery and the slave trade. The Grecian Helots ruled their masters with a rod of iron, and all history is false if slavery does not eventually work out its own salvation, and perhaps with a fearful waking up. I have ever been in favor of the colonization plan of ameliorating the condition of slavery, and of finally abolishing it within the United States. The process may be tedious, but it will be safe, and if there is no new acquisition of slave territory to the Union, it is to be hoped that the humane and glorious undertaking may be some day consummated.

Many of the feelings I have expressed on the subject of slavery are not selfish or those of my own; they may be safely said to be the feelings of those who are born and reared in the free States and under the blessings and influence of our free institutions; nor are those opinions confined to the people of the free States—they are entertained by hundreds and thousands of intelligent, virtuous, wealthy and patriotic citizens of the slave States, and many of the slaveholders themselves see the wisdom and brightness of the effects of slavery, and would gladly rid themselves of their slaves and their States of slavery, if they could do it without doing injustice and violence to the community, and an injury to their slaves.

Gentlemen, these answers and these opinions have been drawn up in great haste and with but little consideration or time for reflection. Please excuse their imperfections, and believe me to be yours, with high esteem,

A. DUNCAN.

To Messrs. Jas. Ludlow, Wm. Cary, N. S. Schooley, Alex. Pender, A. F. Williams, J. C. Gibbons, Jno. Burgess, J. W. Sellers, A. A. and E. Price, Peter Perie, B. Bassett, J. F. Leadman, J. C. Clobber, D. Raymond, B. Bonnell, E. S. Close, John Lincoln, and Isaac Brower.

Oh, what can compare to the peace of God,
When it cometh upon the heart,
Where once contending passions trod,
When it bids them all depart,
Oh! not the peace of the battle plain,
When the day's hot fight is o'er;
There war may loudly rage again—
In that heart it can range no more.

DR. MILES' EXTRACT OF TOMATO.

This medicine is rapidly gaining ground in all parts of our country where it has been introduced, from its positive effects in various complaints. Many physicians have experienced with it, but from the effects of its cheapness and the effects of observing its searching operations in disease of the gland, liver, and other viscera liable to derangement, suppose that it contains mercury, and therefore use it with caution. A few, unwilling to believe the statements so often reiterated, that it performs the functions of mercury without any of its dangerous tendencies, have attempted to deny it. But those who have used it, have been compelled to testify in opposition to this opinion, they have resorted to the other extreme either from avarice, or to discredit the medicine by fabricating a counterfeit of it, which, to make its effects a mere coloration, probably does contain that mineral. To remove this difficulty, I have caused the proprietors, Dr. Miles, to offer a reward of \$1000 to any chemist who would detect the least particle of mercury, however small, in his pills sold by himself or his agents. I am also informed that this reward has been many months before the public, and is kept up as when first offered, but that no one has been able to claim it, though hundreds upon hundreds have vainly tried to secure the premium.

This affords the strongest possible evidence that the medicine is all that it is represented, a SUBSTITUTE FOR CALOMEL; because from the lips of its detractors, we have the proof that it does perform the functions of calomel, and yet if it did contain calomel, any lyro in chemistry has tests enough at hand to detect it. The facts stated, have forced the conviction of many to the belief—hundreds of physicians in the South and West are ready to prove—

1. That the Tomato medicine of Dr. Miles contains no calomel.
2. That its effects upon the liver, glandular system, and the viscera of the abdomen generally, are the same as mercury, but without its dangerous results.
3. That from its sedative and searching operations, and its anti-dyspeptic qualities, its effects upon the nerves and the alimentary organs are inconspicuously favorable.
4. That the benefits in the skin headache are greater than any medicine known—probably from the cause last stated.
5. That this medicine is never drastic or weakening, but always leaves the bowels in a healthy and natural condition, being a mild aperient.
6. That in diseases of the skin, being a powerful diaphoretic, its effects are highly beneficial in removing acrocutic and other humors; in producing a healthy action on the cuticular morbid tendencies, where congestion and the torpidity of the extreme vessels are to be overcome, and by producing change in the system, a softness of the skin, and a mild perspiration.
7. That it is a universal stimulant, every vessel, nerve and fibre of the body being brought under its influence, and also that it is less liable to induce debility and irregularity than any active medicine known.
8. That it produces no salivation, however exciting its power on the glandular system, or whatever its energy on the disordered viscera upon which it acts.
9. That hundreds of thousands are using it in the South and West for the diseases mentioned, with the happiest effects.
10. That in diseases of children, such as the Summer Complaint, Whooping Cough, Measles, &c., its effects are more decidedly favorable than any medicine, which has now a place in the Materia Medica.

Having used this medicine in my family and noticed its effects in others, and having had an opportunity to test its effects at hand to detect it. The facts stated, have forced the conviction of many to the belief—hundreds of physicians in the South and West are ready to prove—

A COUNTRY SEAT, with 35 acres of land, situated upon a road, 4 miles from town, with 20 acres in culture, the rest in woods. The improvements consist of a frame house with 7 rooms, a cellar and two porches; also a frame stable, and a large orchard of choice apple, pear and cherry trees. The land is rich, well watered, and composed of the most substantial materials.

A FERTILE FARM of 115 acres, calculated for a country seat, located upon a good road, 7 miles from town, having 80 acres in cultivation, an orchard of select fruit trees of various kinds, a garden well laid out, a shrubbery of cedar and other evergreens; a frame barn 50 by 30 feet; also a large brick house with seven rooms, a hall, a cellar and a porch; likewise a tenant's house, a frame smoke house, and other out buildings. The soil is rich, well watered, and located favorably for tillage.

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A FARM of 57 acres situated 10 miles from town upon a good road, with 45 acres in cultivation; an orchard of 5 acres of Apple and Peach trees, a frame house with 3 rooms and a good frame barn 45 by 30 feet. The land is good and favorably located for tillage.

A fertile FARM of 160 acres in Switzerland co. Indiana, having 80 acres in cultivation; a good two story brick house with 6 rooms and a cellar; a substantial frame barn 70 by 46 feet, and a large orchard of apple, cherry and peach trees.—The land is level and the soil excellent.

A good FARM of 84 acres, situated 12 miles from town upon a road, having 60 acres in tillage, the rest well timbered. The improvements consist of a good brick house with 4 rooms, a large cellar and a porch; also a brick smoke house, a frame barn, a frame cow house for 16 cows, a frame wagon house and other out buildings; likewise an orchard of choice apple and pear trees. The whole farm is well fenced and watered with many springs.

A FARM of 100 acres, situated 15 miles from town upon a road, having 65 acres in culture, two log houses with 3 rooms each, a large frame barn and an extensive orchard of apple and pear trees. The land is good and favorably located for cultivation. It consists of rich bottom and upland.

An excellent FARM of 340 acres, situated upon a good road 8 miles from town, with 300 acres, in cultivation, the rest well timbered; two good orchards of apple, cherry, quince and peach trees; a stone house with 6 rooms, a cellar and a porch; also two comfortable frame houses; two frame barns, a frame cow house and other buildings. The land is rich, well located for tillage and watered with many springs. This is a superior farm.

A handsome Country Seat, with 56 acres of land, situated 4 miles from town upon a good road, having an excellent two story Brick House, containing seven rooms, a kitchen and a cellar; also a Cistern and a Smoke House, and other out buildings; likewise a tenant's House, a commodious new Frame Barn, a Stable, and an Orchard of 6 acres of choice Apple, Pear, Plum, Quince, and Cherry trees. There are 10 acres of woodland; the rest is meadow or arable land.—The soil is rich; the buildings are new, and composed of the most substantial materials.

A FERTILE FARM of 115 acres, calculated for a country seat, located upon a good road, 7 miles from town, having 80 acres in cultivation, an orchard of select fruit trees of various kinds, a garden well laid out, a shrubbery of cedar and other evergreens; a frame barn 50 by 30 feet; also a large brick house with seven rooms, a hall, a cellar and a porch; likewise a tenant's house, a frame smoke house, and other out buildings. The soil is rich, well watered, and located favorably for tillage.

A COUNTRY SEAT, with 35 acres of land, situated upon a road, 4 miles from town, with 20 acres in culture, the rest in woods. The improvements consist of a frame house with 7 rooms, a cellar and two porches; also a frame stable, and a large orchard of choice apple, pear and cherry trees. The land is rich, well watered, and composed of the most substantial materials.

A good cister and a large orchard of choice apple, pear and cherry trees. The land is chiefly in meadow, is rich and rolling.

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A desirable FARM of 230 acres situated 5 miles from town, upon a good road, having 180 acres in cultivation, an orchard of choice graded fruit trees, apple, peach, pear, and plum; a garden well enclosed, having strawberry and asparagus beds; likewise a frame house, with 3 rooms, a cellar and two bedrooms, a commodious frame barn, a brick smoke house and frame stables and cow houses. The land is rich and consists of fertile bottom and upland. It is a very fine farm, and well calculated for a country seat of dairy, nursery and market garden purposes.

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